

**BEFORE THE INDUSTRIAL COMMISSION OF THE STATE OF IDAHO**

TONNIE J. FACKRELL,

Claimant,

v.

SOUTHERN IDAHO REGIONAL  
LABORATORY,

Employer,

and

STATE INSURANCE FUND,

Surety,

Defendants.

**IC 04-500474**

**ORDER**

Filed: July 17, 2006

Pursuant to Idaho Code § 72-717, Referee Rinda Just submitted the record in the above-entitled matter, together with her proposed findings of fact and conclusions of law, to the members of the Idaho Industrial Commission for their review. Each of the undersigned Commissioners has reviewed the record and the recommendation of the Referee. The Commission concurs with this recommendation. Therefore, the Commission approves, confirms, and adopts the Referee's proposed findings of fact and conclusions of law as its own.

Based upon the foregoing reasons, IT IS HEREBY ORDERED that:

1. Claimant has failed to carry her burden of proving she is entitled to additional medical care or that Defendants failed to provide reasonably necessary care.
2. Claimant has failed to carry her burden of proving she has sustained any disability in excess of her impairment.

3. Claimant is not entitled to an award of attorney fees.
4. Pursuant to Idaho Code § 72-718, this decision is final and conclusive as to all matters adjudicated.

DATED this 17 day of July, 2006.

INDUSTRIAL COMMISSION

/s/\_\_\_\_\_  
Thomas E. Limbaugh, Chairman

/s/\_\_\_\_\_  
James F. Kile, Commissioner

/s/\_\_\_\_\_  
R.D. Maynard, Commissioner

ATTEST:

/s/\_\_\_\_\_  
Assistant Commission Secretary

**CERTIFICATE OF SERVICE**

I hereby certify that on the 17 day of July, 2006, a true and correct copy of the foregoing **ORDER** was served by regular United States Mail upon each of the following persons:

BRYAN S STORER DC JD  
1276 W RIVER ST STE 200  
BOISE ID 83702

MAX M SHEILS JR  
PO BOX 388  
BOISE ID 83701-0388

djb

/s/\_\_\_\_\_